

MINUTES

County of Inyo Board of Supervisors

March 15, 2016

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:35 a.m., on Tuesday, March 15, 2016 in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Jeff Griffiths, presiding, Dan Totheroh, Rick Pucci, Mark Tillemans and Matt Kingsley.

- Public Comment The Chairperson announced public comment period and there was no one from the public wishing to speak.
- Closed Session The Chairperson recessed open session at 8:35 a.m., to convene in closed session, with all Board Members present to discuss and take action as appropriate on Agenda Items No. 2. **CONFERENCE WITH LEGAL COUNSEL -ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(d)(4)]** – discussion with legal counsel regarding potential initiation of litigation (four cases.): No. 3 **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(d)(2)]** – significant exposure to potential litigation (one case), facts and circumstances: MOU dispute resolution process initiated by March 7, 2016 letter from Owens Valley Committee and Sierra Club; No 4. **CONFERENCE WITH LABOR NEGOTIATORS [Pursuant to Government Code §54957.6]** – Employee Organizations: Deputy Sheriff’s Association (DSA); Elected Officials Assistant Association (EOAA); Inyo County Correctional Officers Association (ICCOA);Inyo County Employees Association (ICEA); Inyo County Probation Peace Officers Association (ICPPOA); Law Enforcement Administrators’ Association (LEAA). Unrepresented employees: all. Agency designated representatives: County Administrative Officer, Kevin Carunchio, Assistant County Administrator, Rick Benson, Deputy Personnel Director, Sue Dishion, Information Services Director, Brandon Shults, County Counsel, Marshall Rudolph, and Assistant County Counsel, John Vallejo.
- Recess/Reconvene The Chairperson recessed closed session at 10:10 a.m., to reconvene in open session at 10:12 a.m. with all Board Members Present.
- Pledge Supervisor Jeff Griffiths led the Pledge of Allegiance.
- Report on Closed Session County Counsel reported that with regard to closed session Item No. 2. CONFERENCE WITH LEGAL COUNSEL -ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(d)(4)] – discussion with legal counsel regarding potential initiation of litigation (one case), the Board in a unanimous vote, with Supervisors Totheroh, Griffiths, Pucci, Tillemans and Kinsley voting yes, authorized County Counsel to initiate litigation in the matter, the identification of which will be disclosed when a case is formerly commenced. County Counsel went on to report there was no other action taken in closed session, which is required by law to be reported on in open session.
- Public Comment The Chairperson announced the second public comment period and there was no one wishing to address the Board.
- County Department Reports The Chairperson announced the County Department Report period. Jean Turner, Director of Health and Human Services, reported the recruitment for Foster homes is on-going. Susanne Rizo, Director of Child Support Services, updated the Board on program statistics and reported that the Bishop Paiute Tribe has reinstated the cooperating status with the County.

Parks/Tractor Purchase.	Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to award the bid for, and approve the purchase of one 2015 Branson 5220 R Tractor with loader and backhoe from the low bidder, Dave's Tractor, Inc., in an amount not to exceed \$38,000. Motion carried unanimously.
Parks/County Parks and Campgrounds Waste Disposal Hauling Services Contracts.	Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to award the bid and approve the contracts between the County of Inyo and Madera Disposal Systems (dba Bishop Waste Disposal), for waste disposal hauling services at County parks and campgrounds located in north and south County areas, for the period of April 1, 2016 through June 30, 2017, with two one year options to renew, at the rate of \$17,964.32 per year in north County for a total amount not to exceed \$53,892.96 and \$12,510.96 per year in south County, for a total amount not to exceed \$37,532.88, contingent upon the Board's adoption of future budgets, and authorize the Chairperson to sign the agreements, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
CAO-Personnel-HHS/Substance Use Disorder Policies	Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to approve the policies related to the provision of Substance Use Disorder services; and authorize the Chairperson to sign the individual policies. Motion carried unanimously.
HHS-Hlth. Serv./State Contract Amendment for Ebola Preparedness	Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to approve the Amended Grant Agreement No. 15-10358, A-01 between the County of Inyo and the California Department of Public Health, extending the term for 9 months for a project for Ebola preparedness and response in an amount not to exceed \$65,379 for the period of July 1, 2015 through June 30, 2017, contingent upon the Board's approval of future budgets; and authorize the Director of Health and Human Services to sign, and transmit a copy of the signed Amendment to the Clerk of the Board for the Board's files. Motion carried unanimously.
Planning/Stephens Contract for Hydrological Services	Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to approve a sole-source contract between the County of Inyo and Daniel B. Stephens & Associates, Inc., for the provision of hydrological services in an amount not to exceed \$29,748 for the period of March 15, 2016 through December 31, 2016, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
P.W./Harris Lease at Bishop Airport for Expanded Air Traffic Coverage.	Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to approve the Lease between the County of Inyo and Harris Corporation for a 25 ft. x 25 ft. piece of ground located at the Bishop Airport for the location of radio equipment for the expanded air traffic Automatic Dependent Surveillance Broadcast coverage, for the initial period of March 15, 2016 through March 14, 2021, with four one-year options to renew; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
Resol. 2016-11 Bishop Airport Airfield Project. Notice of Completion	On a motion by Supervisor Tillemans and seconded by Supervisor Totheroh Resolution No. 2016-11 was approved accepting the improvements and authorizing the recording of a Notice of Completion for the Airfield Lighting, Signing and Visual Aids Rehabilitation Project at the Bishop Airport: motion unanimously passed and adopted.
Road Dept. Onion Valley Road Closure	Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to approve the closure of Onion Valley Road, starting just above Seven Pines continuing to the end of the road, on April 13 and 14, 2016 from 7 a.m., to 9 p.m. for filming, with the closure being a soft closure in conjunction with approved traffic control plan that will allow through traffic as needed, with emergency vehicles having full access at all times. Motion carried unanimously.
Emergency Services-Sheriff Mobile Generators Purchase	Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to: A) reject the previously Board approved bid from Northern Tool and Equipment for the purchase of two Generac Mobile Diesel Generators because of newly added shipping fee making the quote exceed the budget; B) approve the purchase of two Generac Mobile Diesel Generators from Absolute Generators of West Des Moines, Iowa, in an amount not to exceed \$40,000; and C) waive the informality of the successful bid. Motion carried unanimously.

Resol.2016-12 Authorizing Grant Funds for Tecopa Water Vending Machine Project.	On a motion by Supervisor Tillemans and seconded by Supervisor Totheroh, Resolution No. 2016-12 was approved authorizing Inyo County to act as grantee for grant funds from the State of California Department of Water Resources and authorizing the Director of the Inyo County Water Department to act as Project Director, and approve the Amendment to Grant #14-680-550 A-1(C/A702:818) for the additional \$89,749 for the Tecopa Water Vending Machine Project, for a total grant award of \$169,970 for the Project: motion unanimously passed and adopted.
HHS-Soc. Serv./Office Clerk Position Request	Moved by Supervisor Totheroh and seconded by Supervisor Kingsley to find that consistent with the Authorized Position Review Policy: A) the availability of funding for an Office Clerk position exists in the Social Services budget, as certified by the Director of Health and Human Services and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, conducted through the State Merit System's Cooperative Personnel Services; however, an external recruitment is more appropriate to ensure qualified applicants apply; and C) approve the hiring of one Office Clerk II at Range 50 (\$2,749 - \$3,343). Motion carried unanimously.
Sheriff/Office Tech. Position Request	The Request by the Sheriff's office for the Board to consider filling an Office Technician position was pulled from consideration by the Department and will be rescheduled.
P.W./Ed Powers Bike Lane Project Contract	Moved by Supervisor Totheroh and seconded by Supervisor Pucci to award the bid to and approve the Contract with Spiess Construction Co., Inc., for the Ed Powers Bike Lane Project in the amount of \$488,204.25; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained; and authorize the Public Works Director to execute all other Contract documents, including Contract change orders, to the extent permitted by Public Contract Code Section 20142 and other applicable law. Motion carried unanimously.
Planning/General Plan Annual Progress Report	Moved by Supervisor Pucci and seconded by Supervisor Totheroh to accept the draft Inyo County 2015 General Plan Annual Progress Report (APR), and direct staff to forward the APR to the State of California's Department of Housing and Community Development and the Governor's Office of Planning and Research. Motion carried unanimously.
Planning/Forest Plan Update	The Board received a presentation from staff about coordination with Forest Service staff regarding the Inyo National Forest Plan Update/Revision, since the last update, including discussion of additional alternatives and groups that are lobbying for more wilderness designations. Earl Wilson of Lone Pine expressed concern with losing access to more open space.
Reso. 2016-13/O.V. Groundwater Basin Boundary Change	The Board received a report from staff on the recommended change to the boundary of the Owens Valley Groundwater Basin. The Board and staff discussed the proposed change. Philip Anaya, Bishop area resident, opposed the proposed changes, expressing concern regarding the protection of the Fish Slough area. On a motion by Supervisor Totheroh and a second by Supervisor Kingsley, Resolution No. 2016-13 was approved supporting the revision of the boundary: motion unanimously passed and adopted.
Public Comment	<p>The Chairperson opened the public comment period. Recognizing that the Assistant to the Clerk of the Board, Patricia Gunsolley, would be retiring at the end of March after 24 years of service, Supervisor Griffiths invited members of the Public to come forward if they would like to wish Ms. Gunsolley well before the Board recessed for a retirement celebration for her in the lobby.</p> <p>Mr. Earl Wilson, a Lone Pine resident, expressed his thanks to Ms. Pat Gunsolley, for the help and assistance she has provided him over the years. The following people also made comments to Ms. Gunsolley.</p> <p>Former Supervisor Sam Dean congratulated Ms. Gunsolley on her retirement and mentioned that she became the Assistant to the Board Clerk when he was a Supervisor and said she did a fantastic job.</p> <p>Jean Turner, Director of Health and Human Services, congratulated Ms. Gunsolley but also wanted to suggest that the next Assistant to the Board Clerk should be provided with a flak jacket in the spirit of "don't shoot the messenger!" The Assistant to the Board Clerk position comes with being the "gate keeper" for a lot of messages that get passed out, down, up and around and Ms. Gunsolley was a great example of bringing quality to the kind of gate keeping I think you would</p>

want to see in your staff and yet with that comes with a lot of flak back because she is passing along messages about what she thinks the expectations are. Jean continued by congratulating Ms. Gunsolley for a job well done and continued by stating that, at times Ms. Gunsolley has had to put up with a lot and she wants her to know she appreciates and honors what this is about for Ms. Gunsolley, and the many years of great service she has provided.

Former Supervisor Linda Arcularius stated that as she was thinking past this great day for Ms. Gunsolley it seems important to point out that her position, and the way a person does that position, really protects the public record for generations to come. How many of us as Supervisors or former Supervisors, go to the Clerk of the Board, whomever that would be, and ask them to go back to 1940, 1930, 1920? In 20 and 30 years down the road people will be going back to the records that Ms. Gunsolley kept, and it is really a pretty sacred position when you think that the minutes that are adopted and the minutes that are so thoughtfully prepared become history. Ms. Arcularius continued by congratulating Ms. Gunsolley and said that her name will be on a lot of minutes and documents that will be in history forever and she did it every day with grace and dedication and with the values of what a public servant should be.

Chief Probation Officer Jeff Thomson thanked Ms. Gunsolley for everything she has done for him. As a "newbie", coming up Ms. Gunsolley was able to take his hand and show him the ropes on what needed to be done and she was never far for fixing up a proclamation for him and making it presentable to his staff. He reiterated by stating that every day she did a wonderful job and he appreciated that.

Water Director, Bob Harrington stated that he wanted to echo Chief Thomson's statements and continued by saying she has been so helpful and competent in a difficult job keeping all of those balls juggled in the air and have really helped him out on all of those things that they don't teach in Department Head training.

Public Works Director, Clint Quilter, stated that as someone that is relatively new to the County, he wanted to thank Ms. Gunsolley for helping him understand what the ropes were in the County and it has really made a big difference for him and is sure that it has made a difference for everyone and thanked her for her service.

The Planning Director, Josh Hart, stated that he had worked with several clerks for several agencies and Ms. Gunsolley is by far the best that he has ever worked with. He stated the County will really miss her and thanked her for her help.

County Administrator, Kevin Carunchio, spoke stating that it was a great idea opening up Public Comment, because they didn't have to compete with the noshing of olives and cake out in the foyer and Ms. Gunsolley can hopefully hear what everyone is saying. He continued by stating that, from his perspective, Congratulations! Ms. Gunsolley is one of the most intelligent politically sensitive and efficient County employees we have. He understands what she means to the Board and to those that have just spoken. He knows what she means to him and the Department Heads in the terms of making them all look good, but the best thing he has heard so far today was from Mr. Earl Wilson. We are all here to serve the public, and for a member of the public to stand up and recognize what Ms. Gunsolley has done for him, that means a lot and something hopefully Ms. Gunsolley takes pride in, because he himself and the Board certainly do. Mr. Carunchio continued by stating that when Ms. Gunsolley told him the news, (she kind of short sheeted us Paul Bruce style), the analogy he used wasn't a very good one, but stated he felt like he had his leg lopped off. He believes that is still a good analogy. He continued by stating that Ms. Gunsolley is synonymous in his mind with Inyo County. There are very few people that he can say that to. Ms. Gunsolley is part of the County, part of the Administrator's Office and the Board of Supervisors.... and he still can't get his head around her leaving any more than he can see the dais disappearing one day. We will cope, and thank you Ms. Gunsolley for all your service.

Former Supervisor Michael Dorame spoke stating "You are the Best", recalling when he was a district manager for the phone company, he had a secretary that he thought was the greatest, but Ms. Gunsolley has exceeded anything that he had expected. When he came to work for the County, she was an encyclopedia of information that Wikipedia would be envious of. Stating he didn't know how she did it, but a person of her talent can never retire. People are going to be demanding of her time when they realize she is free of the position, stating that it's going to happen, she's just too good, too talented. He concluded by saying thank you, and ...Gary is really going to appreciate this because she is going to be very helpful for him.

Former Supervisor Butch Hambleton spoke stating that the County Administrator and the Board are sitting there pretty smug with the information that they have and that they are ready, but he wanted to let them know that, because he sat there one day year ago, and felt that smugness himself, everything you know right now, Ms. Gunsolley knew two weeks ago. She's the one that has prepared it for you for today and the reason you are able to conduct business the way you are able to conduct business. He thanked Ms. Gunsolley for preparing him and giving him the ability to be able to sit there and feel that way when he was on the Board and thanked her for her years of service to Inyo County.

Earl Wilson of Lone Pine spoke again and suggested that a short resolution be passed in her honor, along with copies of the minutes so she can remember it in the future.

Supervisor Griffiths stated that with Ms. Gunsolley present, he always knew he had someone who cared for him, someone who had his back and someone who was going to keep him from, to the best of her ability, from doing something stupid. He appreciated that, she was like a "room mother" and he will miss her.

Supervisor Totheroh echoed Supervisor Griffiths statements and continued by saying that no one can keep him from looking stupid, but thanked her for all the help trying to get him trained.

Supervisor Pucci thanked Ms. Gunsolley for taking care of the Supervisors and keeping them out of trouble.

Supervisor Kingsley thanked Ms. Gunsolley and stated everything everyone has stated has stated today is true. He also stated that she just missed the filing deadline in Mono County, which he thinks she should have considered.

Supervisor Tillemans stated that, he himself, like Chief Thomson, was very "green" when he came on board. Little did he know that he had a guardian angel, keeping him out of trouble with guidance on the process and rules. He also thanked her for delivering the Board packet, realizing she went way out of her way to drop that off each week.

Ms. Gunsolley stated it has been a pleasure and continued by thanking the Board for the opportunity to serve them. She stated she has learned a lot, and really does love them all and will miss them.

Recess/Reconvene The Chairperson recessed the regular meeting at 12:05 p.m. to reconvene in open session at 1:10 p.m. with all Board Members present.

Water/Standing Comm. Rep. Instructions Dr. Bob Harrington explained that the Agenda for the upcoming Inyo/LA Standing Committee meeting is being prepared. He said he would review the items that he believes will be on the Agenda for that meeting, which included the request by DWP for the County to authorize the Technical Committee to make the decisions regarding reductions to water provided to EM projects and for grazing as a result of several on-going drought conditions; scheduling Technical Group meetings in advance of the meeting; new wells requirements; and the sharing of water savings on the Owens Lake with the County. The Board concurred with staff's recommendations regarding potential items for the agenda for the upcoming March 31, 2016 Inyo County/Los Angeles Standing Committee Meeting in Los Angeles. Supervisor Kingsley briefly left the meeting.

Emerg. Serv./Gully Washer Emergency Continued Moved by Supervisor Pucci and seconded by Supervisor Totheroh to continue the local emergency known as "The Gully Washer Emergency", that was proclaimed as a result of flooding in the central, south and southeastern portion of Inyo County during the month of July, 2013, as recommended by the County Administrator. Motion carried unanimously, with Supervisor Kingsley absent.

Emerg. Serv./Land of Even Less Water Emergency Continued Moved by Supervisor Totheroh and seconded by Supervisor Pucci to continue the local emergency known as the "Land of EVEN Less Water Emergency", that was proclaimed as a result of extreme drought conditions that exist in the County, as recommended by the County Administrator. Motion carried unanimously, with Supervisor Kingsley absent.

Emerg. Serv./D.V. Down But Not Out Moved by Supervisor Tillemans and seconded by Supervisor Kingsley to continue the local emergency, known as the "Death Valley Down But Not Out Emergency", that was proclaimed as a

Emergency Continued	result of flooding in the central, south and southeastern portion of Inyo County during the month of October, 2015, as recommended by the County Administrator. Motion carried unanimously.
CAO-Gen./Kern Co. 150 th Anniversary Proclamation	Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to approve the proclamation titled "Proclamation – Board of Supervisors, County of Inyo, State of California Commemorating Kern County's 150 th Anniversary;" Motion carried unanimously. The Board discussed a Board Member's attendance at the Kern Meeting on April 19, 2016 in Havilah, to present the proclamation. Supervisor Kingsley volunteered and the Board thanked him.
Integrated Waste/Workshop Landfill Permitting Issues	The Chairperson recessed open session at 1:30 p.m. to conduct a workshop to receive a report regarding landfill permitting issues in Independence, Lone Pine and Bishop. The Chairperson recessed the workshop at 2:50 p.m. to convene in open session with all Board members present.
HHS-Health Services/Tobacco Program Update	The Board received an update from staff on Tobacco Control activities and accomplishments for 2015.
Public Comment	The Chairperson announced the final public comment period and there was no one wishing to address the board.
Board Member and Staff Reports	The Board Members reported on their activities during the preceding week including the County Administrator explaining that the report from the Chief Probation Officer on the changes in operations at the Juvenile Hall had been delayed at his request in order for him to provide input on the report. He said that it was rescheduled for the first meeting in April; a Fish and Wildlife meeting on the Fish Hatchery; Eastern Sierra Museum Annual Pot Luck; an Obsidian Project "road trip"; a Quad State Meeting; Meeting with stakeholders and the Mexican Consul from Fresno regarding things the Consulate can do to assist Mexican citizens in the area; City of Bishop City Council Meeting; a request for a report from the Administrator of Northern Inyo Hospital, similar to the one he gave to the Bishop City Council last night, be agendaized if possible for April 5, 2016; and ESTA and ESCOG meetings; and the Rotary International Dinner fundraiser.
Closed Session	The Chairperson recessed open session at 3:35 p.m., to reconvene in closed session, with all Board Members present, to discuss and take action as appropriate on previously identified closed session items. The Chairperson recessed closed session at 4:40 p.m., to reconvene in open session, to receive a full report on closed session.
Report on Closed Session	County Counsel reported that there were no items discussed in closed session that are required by law to be reported on in open session.
Adjournment	The Chairperson adjourned the regular meeting at 4:40 p.m. to convene at 10:00 a.m. for a Special Meeting on Tuesday, March 22, 2016, on the front steps of the Historic Courthouse located in Independence, California.